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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,210	04/23/2001	Mohammed Khalil	NL000191	3949
24737	7590	08/24/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LOPEZ, CARLOS N	
			ART UNIT	PAPER NUMBER
			1731	
DATE MAILED: 08/24/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/840,210	Applicant(s) KHALIL ET AL.	
	Examiner Carlos Lopez	Art Unit 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 9-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

In view of the appeal brief filed on 6/4/04, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Applicant notes that the instant invention is drawn to reducing re-heating of the inner corners of the glass. It is noted that the present invention does not claim a reduction in heating. Instant claim 1 only recites a subsequent cooling step wherein the glass remains below the strain point temperature. It is thus being considered, as noted in the rejection below, that the claimed subsequent cooling is deemed as the final cooling step expected to occur in a glass panel to thus use the glass panel for its intended purposes. It is this final cooling step that's being considered as cooling the glass below the strain point temperature. Since the final cooling step brings the whole glass to room temperature there

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would be no portions of the glass that can re-heat the claimed inner corners above its strain point temperature.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1) Claims 1-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over d'Iribarne et al (US 4,826,522). d'Iribarne discloses a method for making tempered glass sheets with reinforced edge stresses. d'Iribarne press forms glass sheets at a tempering and bending station 2. d'Iribarne's cooling means 10 lowers the temperature of the glass edges in relation to the center (Col. 1, lines 56-61). As shown in figures 1 and 3A-3C the glass has inner corners. d'Iribarne is silent disclosing "and then cooling the formed glass panel such that the surface temperature of the inner corners remains below a strain point temperature during said cooling". However, it is deemed that the final cooling step that brings about the final glass product to room temperature to thus be used for its intended purpose reads on the instant claimed cooling step. The glass sheet produced by d'Iribarne is conventionally used, among other things, for windows and/or car windshields. Hence, it would be expected that a cooling step occurs to lower the temperature of the glass and its inner corners in order to be used for its intended purpose. While it may be argued that d'Iribarne does not cool the inner corner

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below a strain point temperature, it is considered that the final cooling step applied to the glass lowers the inner corners below a strain point temperature because the glass made by d'Iribarne would eventually be brought to room temperature to thus be used for its intended purposes either be for a windshield or window. In fact the glass sheet produced by d'Iribarne would never remain at its high temperature but would under go a cooling step that would lower the glass sheet to room temperature as done by cooling apparatus 7.

As for claims 2-4, since cooling means 10 cools the corners of the glass plate, it would be inherent that at the very least that there would be a one-degree temperature difference in relation to the center of the glass plate.

As for claim 7, the claimed heat transfer elements are deemed as cooling plates 3 and 4 made of a heat conductive copper metal (See Example 1).

As for claim 8, while d'Iribarne only discloses using copper plates as cooling plates, it would be obvious to a person of ordinary in the art to have used other materials that are heat conductive such as the claimed stainless steel.

Allowable Subject Matter

Claims 5-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the cited prior art fails to disclose or reasonably suggest after press forming a glass panel the inner corners are cooler than the center of the

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glass and the inner corners remain below the strain point temperature of the glass during and after press-forming.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is 571.272.1193. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571.272.1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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